



February 18, 2004

Assistant Commissioner of Patents

Washington, DC 20231

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Technology Center 2600

PROTEST UNDER 37 CFR 1.291(a)

Re: System and method for establishing
incentives for promoting the exchange of personal
information and targeted advertising

US File # **20020019769**

Filed: 1/19/2001

Sirs:

Recently I found the above referenced patent filing and believe this filing has
NOT issued in the U.S. The US File # is **20020019769**

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system dependent upon a database maintained at the client level (Settop Box [STB] or Personal Video Recorder [PVR]) in a client-server ad delivery system. The appropriate ads are selected through profiling techniques at the server level then a database is created and downloaded to storage at the STB OR PVR at the Users' computer connected to their television monitors. (0134) Selecting a channel or show on television which is tantamount to a URL into a browser locator window then makes a match with data maintained at the STB or PVR (0031) in the remotely controlled and updated STB or PVR database and in the event a match is made by comparing, an appropriate advertisement is displayed (0022). This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established database and a targeted ad is displayed.

This embodiment is also described in Claims 1, 39 and others. Basing ad display based upon program selection comparisons is no different than selecting a URL in a browser or Keyword in a search engine. Whether a cable TV network or the internet or both, both are electronic communication networks.

I am objecting to this patent filing, as it is neither novel nor unique. It is of particular note that while prior art strictly based on TV, no prior art was submitted with this filing correlating to the internet and some vague references to server/user profiling systems. The filers are correct that a targeted system

based on program selection, URLs or keywords is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

1. US Patent 6,141,010 ... similar technology
2. Gator.com (recently changed to Claria.com) has been marketing such a system since 1998 or 1999
3. WO9955066 (A1) or EP1076983 (A1) ... similar technology

There may be more prior art preceding the 1/19/2001 filing.

I believe the Examiner should look very closely at the Claims made and judge accordingly.

The screenshot shows a Netscape browser window displaying the esp@cenet document view for patent CA2328913. The browser's address bar shows the URL: [http://v3.espacenet.com/textdoc?A=Z&ref=1&F=1&C=1&D=1&E=1&F=1&G=1&H=1&I=1&J=1&K=1&L=1&M=1&N=1&O=1&P=1&Q=1&R=1&S=1&T=1&U=1&V=1&W=1&X=1&Y=1&Z=1](http://v3.espacenet.com/textdoc?A=Z&ref=1&F=1&C=1&D=1&E=1&F=1&G=1&H=1&I=1&J=1&K=1&L=1&M=1&N=1&O=1&P=1&Q=1&R=1&S=1&T=1&U=1&V=1&W=1&X=1&Y=1&Z=1&A=Z&ref=1&F=1&C=1&D=1&E=1&F=1&G=1&H=1&I=1&J=1&K=1&L=1&M=1&N=1&O=1&P=1&Q=1&R=1&S=1&T=1&U=1&V=1&W=1&X=1&Y=1&Z=1). The page title is "esp@cenet document view". The main content area displays the following information:

TELEPHONE CALL MANAGEMENT SOFTWARE AND INTERNET MARKETING METHOD

Bibliographic data	Description	Claims	INPADOC LEGAL status
Patent number: CA2328913			Also published as:
Publication date: 1999-10-29			WO9955066 (A1)
Inventor: ZETMEIR KARL D (US)			EP1076983 (A1)
Applicant: ZETMEIR KARL D (US)			
Classification:			
International: H04M3/00			
European:			
Application number: CA10062328913 19990414			
Priority number(s): US19980002041 19980417 WO19990006102 19990414			

Abstract of CA2328913

A telephone call management computer program that provides both call management features and long distance savings for telephone consumers and marketing and advertising services for sponsor companies that wish to advertise to the consumer is disclosed. The call management program is initially stored on a host computer (12) and is then downloaded upon request to user computers (22) along with advertisement banners selected by the sponsor companies. When used, the program automatically front-loads a long distance carrier's PIC code in front of all long distance calls made from the user computers to permit consumers to automatically make long distance phone calls at discounted rates without memorizing numerous PIC codes and without continually shopping for the best long distance rate. The program also provides many enhanced telephone calling options and displays the banners and other advertising directly on the user computers (22) while the consumers use the program.



